IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NOs : 26047 of 2003, 3303 of 2004, 3765 of 2004,9420 of 2004,12974 of 2004 and 14337 of 2004.

-

W.P.NO.26047 OF 2003

-

Between:

1 J.Paul, S/o J.Sammaiah
Auto Owner, Vehicle No.AP-36V-2569, R/o H.No.14-6-256, Char Bouli, Nizampura, Mandi Bazar, Warangal.
2 Polepaka Vijay Kumar, S/o P.Sammu Komuraiah
Auto Owner, Vehicle No.AP-36V-6729, R/o H.No.11-5-30/1, Christian Colony, Warangal District.
3 Nellutla Ramprasad Rao, S/o N.Prabhakar Rao
Auto Owner, Vehicle No.AP-15/T/R-B-4977, R/o H.No.16-6-190, Ekashila Nagar,
Fort Road, Warangal.
4 Boenpally Mahesh, S/o B.Hanmantha Rao
Auto Owner, Vehicle No.AP-36V-7571, R/o H.No.1-7-115/1, Advocate Colony,
Balasamudram, Warangal District.
5 Dowa Damodar, S/o D.Shankaraiah
Auto Owner, Vehicle No.AP-36V-7418, R/o H.No.11-25-12/8, Kothawada, Warangal.

..... PETITIONERS

AND

The Secretary, Regional Transport Authority, Warangal, Warangal District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, by calling the records from the respondent and declare the action of the respondent in imposing unreasonable restrictions that the petitioners' autos shall ply outside the limits of Municipal Area, i.e., Warangal, Hanamkonda and Kazipet with radius of 60 kms from the residence of owner excluding prohibited roads in permit as arbitrary, illegal, contrary to law and also in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India; and consequently to set-aside the unreasonable restrictions.

Counsel for the Petitioner: MR.P.SRIDHAR RAO

Counsel for the Respondent: GP FOR TRANSPORT

W.P.NO.3303 OF 2004

Between:

1 Beti Ramesh, s/o Shankaraiah,
Occ:Auto Owner, Vehicle No.AP-10 BHT/R-5515, r/o H.No.16-8-277, Abbanikunta,
Dayanand Colony, Warangal District.
2 Md.Jahangeer, s/o Md.Ankoos,
Occ:Auto Owner, Vehicle No.AP-10 BHT/R/5562, R/O H.No.11-20-214, L.B.Nagar, Warangal District.
3 Bukya Gopi Chand, s/o B.Bakkulu,
Occ:Auto Owner, Vehicle No.AP-36V-8877, r/o H.No.2-10-727, Teachers Colony,
Waddepally, Warangal District.
4 Palakoti Karunakar, s/o P.Veeraiah,
Occ:Auto Owner, Vehicle No.AP-36V-8741, R/O H.NO.11-15-112(OLD) H.No.12-15-116 (New),
Laxmipuram, Warangal District.

..... PETITIONERS

AND

The Secretary, Regional Transport Authority, Warangal, Warangal District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus by calling the records from the respondent and declare the action of the respondent in imposing unreasonable restrictions that the petitioners' autos shall ply outside the limits of Municipal area, i.e., Warangal, Hanamkonda and Kazipet with

radius of 60 kms from the residence of owner excluding prohibited roads in permit as arbitrary, illegal, contrary to law and also in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently to set-aside the unreasonable restrictions

Counsel for the Petitioner: MR.P.SRIDHAR RAO

Counsel for the Respondent: GP FOR TRANSPORT

W.P.NO.3765 OF 2004

Between:

Porandla Satyavathi, W/o Late Poshetti,
Owner of Auto A.P. 36 V. 8500, H. No. 3-6-77, Gudibandla,
Kumarpally, Hanamkonda, Warangal

..... PETITIONER

AND

The Secretary, Regional Transport Authority,

Warangal District

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, order or direction by calling records from the respondent he rein and declare the action of the respondent in imposing unreasonable restrictions that the petitioner's Auto bearing No. A.P. 36V. 8500 shall ply outside the limits of municipal area i.e. Warangal, Hanamkonda and Kazipet within readius of 40 Km. from the residence of Owner excluding Prohibited roads in permits as arbitrary, illegal C ontrary to the law also violation of Article 14, 19 (1) (g) and 21 of the Constitution of India and consequently to set aside the unreasonable restrictions and consequently to set a side the unreasonable restrictions

Counsel for the Petitioner: MR.A.RAVINDER

Counsel for the Respondent : G.P. FOR TRANSPORT

-

-

-

W.P.NO.9420 OF 2004

Between:

1 Bandi Mahender S/o. B. Sammaiah

R/o. H.No. 11-25-705, Pochamma Maidan, Warangal.
Vehicle No. AP 36-W-0168

2 Kankanala Madhan S/o. K. Paidaiah
R/o. H.No. 3-6-203/10, Gudi Bandal,

Hanumakonda,Warangal District.
Vehicle No. AP 36-V-9823

3 Kannaboina Purushotham S/o. K. Odelu
R/o. H.No. 3-7-252, Kumurpally, Gudi Bandal,
Hanumakonda,Warangal Dist.
Vehicle No. AP 9-DQ T/R 4480

4 Guggulothu Veeranna S/o. G. ramulu
R/o. H.No.2-4-701, Old Bus Depot
Ramnagar,Hanumakonda,Warangal Dist.
Vehicle No. AP 11AB T/R 8208

5 Sd. Abdul S/o. Sd. Sarwar
R/o. H.No. 5-2-11, Bokkalagadda,

Hanumakonda,Warangal District.
Vehicle No. AP 36-V 9727

6 P. Venkateshwarlu S/o. P. Veeraiah
R/o. H.No. 11-15-132, Kasibugga, Laxmipuram, Warangal Dist.
Vehicle No. AP 09-CF T/R 3163

7 Mohd. Waheb Shareef S/o. Mohd. Hyder Shareef
R/o. H.No. 16-3-741, Puppalagutta, Warangal, Warangal Dist.
Vehicle No. AP 15 V 9310

8 Singarapu Prabhakar S/o. S. Dasu
R/o. H.No. 4-71/1, Paidipally Mandal

Hanumankonda, Warangal District.
Vehicle No. AP 36 V 7091

..... PETITIONERS

AND

The Secretary, Regional Transport Authority, Warangal,
Warangal District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in imposing unreasonable restrictions that the petitioners' autos shall ply outside the limits of Municipal Area ie. Warangal, Hanumakonda and Kazipet with radius of 60 kms. from the residence of owner excluding prohibited roads in permit as arbitrary, illegal, contrary to law and also in violation of Articles 14, 19 (l) (g) and 21 of the Constitution of India and consequently set-aside the unreasonable restrictions.

Counsel for the Petitioner: MR.P.SRIDHAR RAO

Counsel for the Respondent: GP FOR TRANSPORT

W.P.NO.12974 OF 2004

Between:

D.Srinivas, S/o D.Durgaiah,
R/o H.No.16-2-85, SRR Thota,

Karimabad, Warangal, Warangal District

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority, Warangal,
Warangal District

2 The Superintendent of Police, Warangal District, Warangal

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in restricting the operation of Petitioners auto rickshaw bearing Registration No.AP.36/W.0652 within the municipal limits of Warangal, Hanmakonda and Kazipet while issuing permit in respect of the said vehicle as illegal, arbitrary and contrary to law and consequently direct the respondents herein and their subordinates to permit the Petitioner to operate the said auto rickshaw within the municipal limits of Warangal, Hanmakonda and Kazipet under the existing permit forthwith; and pass such other or further orders as are necessary

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondents: GP FOR TRANSPORT

W.P.NO.14337 OF 2004

Between:

1 Sri P.Ramesh, S/o Venkatnarasaiah,
R/o 16-9-1547, Puppalagutta, Warangal, Warangal District
2 Sri V.Ramulu, S/o Sri Mallaiah,
R/o 11-23-1703, Desaipet Road, Warangal
3 G.Srinivas, S/o Uppalaiah,
R/o 19-10-523/93, Giriprasad Nagar, Sambhunipet,

Warangal District
4 A.Venkatachari, S/o Kondaiah,

R/o INA, Katrapalli, Rayapatir, Warangal District
5 E.Balaram, S/o Someswara Rao,
R/o 1012, Rangapuram, Khaanapuram, Warangal District
6 Md.Ibrahim, S/o Abdul Azeez,
R/o Bahadurnagar, Warangal District
7 Azam Shaik, S/o Habeeb,
R/o 19-10-397, Sambhunipet, Warangal District
8 Md.Akheel, S/o Masthan,
R/o 6-62, Ganeshnagar, Sambhunipet, Warangal District

..... PETITIONERS

AND

The Secretary, Regional Transport Authority,

Warangal, Warangal District

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction especially one in the nature of Writ of Mandamus, declaring the action of the respondent in imposing the unreasonable restriction in the permits that the petitioners should ply their vehicles outside the limits of municipal area Warangal, Hanamkonda and Kazipet and within the radius of 60 KMs from their residence excluding the prohibited area in the permits in respect of the petitioners' auto rickshaw bearing Nos.AP36 W 1070, AP 36W 0449, AP 36 W 0331, AP 36 W 9506, AP 36 V 6321, AP 36 W 1136, AP 36 W 0631, and AP 36 W 0847, is illegal, arbitrary and violative of Article 14,19(1)(g) and 21 of the Constitution of India and consequently set aside the unreasonable restriction, in the interest of the justice.

Counsel for the Petitioner: MR.CH.RAVINDER

Counsel for the Respondent : GP FOR TRANSPORT

The Court made the following :

-

-

COMMON ORDER

-

The question involved in these Writ Petitions have already been decided by this Court in a batch of cases in W.P.No.21407 of 2003 and batch dated 29-11-

2004.

Therefore, following the same, these Writ Petitions are dismissed. No costs.

01-12-2004.

Hsd

Asst. Registrar

To

1. The Secretary, Regional Transport Authority, Warangal, Warangal District

2 The Superintendent of Police, Warangal District, Warangal

3 2 C.Cs to G.P. for Transport, High Court of A.P.

High Court buildings, Hyderabad (OUT)

4. 2 C.D. copies.